

## MINUTES

## REGULAR MEETING OF UPLAND BOROUGH COUNCIL

### DATE

April 9, 2019

### TIME

7:00 P.M.

### PLACE

Upland Municipal Building, 224 Castle Avenue, Upland, PA

### CALL TO ORDER

President Peterson called the Regular Scheduled Meeting for Upland Borough Council to order at 7:00 p.m.

### PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

President Peterson led the Pledge of Allegiance and a moment of silence.

### ROLL CALL

Mrs. Peterson – Present; Ms. Crawford – Present; Mrs. Kerns – Present; Mrs. Bush – Present; Mrs. Deldeo – Present; Mr. McClintock – Present; Mr. Hunter – Present; Mayor Dennon – Absent/Excused; Mr. Robert E. O'Connor, Esquire – Present; Daniel Archdeacon, P.E., Catania Engineering – Present; and Michael Ciach, Borough Manager/Secretary/Treasurer – Present.

### GUESTS/RESIDENTS IN ATTENDANCE

Chief of Police Michael Irey, Fire Marshal/Fire Chief Dan Smith, Reporter Ken Stark, and many guests were in attendance for swearing in of Police officers.

#### 5. Motion to Approve Employment Contract as Discussed in Executive Session

Ms. Crawford made a motion to approve the contract they discussed about in the Executive Session. Mrs. Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Abstain. Motion carries.

Chief Michael Irey, Upland Police Department, approached Council. He wanted to thank everyone for coming tonight as it is a pretty special night. Chief Irey wanted to thank the Police Department for all they have accomplished since he became Interim Chief in February 2016.

Chief Irey wanted to welcome some distinguished guests; Senior Judge Charles Nistico who is currently serving Brookhaven Regional District Court, who will be doing the swearing in ceremonies. Chief John Easton, former chief of Upland Police Department and Captain Robert Love, former Captain of Upland Police Department.

#### 6. Motion to Pass and Adopt Resolution No. 8 of 2019

▪ *Promote Part-Time Officer Luke McCann to Full Time Position*

Mr. McClintock made a motion to promote Part Time Officer Luke McCann as a full time officer. Ms. Crawford seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Abstain. Motion carries.

Mr. McClintock read Resolution No. 8 of 2019 into record. Mr. McClintock made a motion to pass and adopt Resolution No. 8 of 2019, Promotion of Officer Luke McCann from part-time to full-time. Mrs.

Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Abstain. Motion carries.

The Honorable Senior Judge Nistisco performed the swearing in of newly promoted Officer McCann. Officer McCann received congratulatory remarks and applause from Borough Council and the audience.

7. Motion to Pass and Adopt Resolution No. 9

▪ *Promote Part-Time Officer Lawrence Porter to Full Time Position*

Mr. McClintock made a motion to promote Part Time Officer Lawrence Porter as a full time officer. Ms. Crawford seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Abstain. Motion carries.

Mr. McClintock read Resolution No. 9 of 2019 into record. Mr. McClintock made a motion to pass and adopt Resolution No. 9 of 2019, Promotion of Officer Lawrence Porter from part-time to full-time. Ms. Crawford seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Abstain. Motion carries.

The Honorable Senior Judge Nistisco performed the swearing in of newly promoted Officer Porter. Officer Porter received congratulatory remarks and applause from Borough Council and the audience.

8. Motion to Pass and Adopt Resolution No. 6 of 2019

▪ *Promote Corporal Michael Curran to Lieutenant Position*

Mr. McClintock made a motion to promote Full Time Officer Michael Curran to the Lieutenant position. Ms. Crawford seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Abstain. Motion carries.

Mr. McClintock made a motion to pass and adopt Resolution No. 6 of 2019, Promotion of Officer Luke McCann from full time to the Lieutenant position. Mrs. Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Abstain. Motion carries.

The Honorable Senior Judge Nistisco performed the swearing in of newly promoted Lieutenant Curran. Lieutenant Curran received congratulatory remarks and applause from Borough Council and the audience.

9. Motion to Pass and Adopt Resolution No. 7 of 2019

▪ *Promote Detective Andrew Nicholl to Corporal Position*

Ms. Crawford made a motion to promote Detective Andrew Nicholl to position of Corporal Detective. Mr. McClintock seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Abstain. Motion carries.

Mr. McClintock made a motion to pass and adopt Resolution No. 7 of 2019, Promotion of Detective Andrew Nicholl to position of Corporal Detective. Mrs. Kerns seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Abstain. Motion carries.

The Honorable Senior Judge Nistisco performed the swearing in of newly promoted Corporal Detective Nicholl. Corporal Detective Nicholl received congratulatory remarks and applause from Borough Council and the audience.

Immediately following Corporal Detective Nicholl's swearing in, Corp. Det. Nicholl got down on one knee and proposed to his fiancé Trisha Frassetto. There was much applause and congratulatory remarks. President Peterson offered a floral arrangement to the newly engaged Ms. Frassetto on behalf of Council.

#### 10. Public Comments on Agenda Items Only

No public comments.

#### 11. Approval of Previous Meeting Minutes

##### A-1 Council Meeting Minutes – March 12, 2019

Mr. McClintock made a motion to pass Council meeting minutes of March 12, 2019. Mrs. Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

#### 12. Treasurer's Report

##### A-1 Treasurer's Report

Mr. McClintock made a motion to accept the Treasurer's Report as presented. Mrs. Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

##### A-2 Income Statements

Mr. McClintock made a motion to accept the Income Statements as presented. Mrs. Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

##### A-3 Manager's Report

President Peterson asked if there were any questions on the Manager's report. No one responded. Verbally, all Council stated Aye; noting approval.

#### 13. Auburn Village Report - Richard McClintock

Mr. McClintock reported progress.

14. Public Safety Report – Richard McClintock

A-1 Fire Marshal's Report

Fire Marshal Dan Smith read the Fire Marshal Report of March 2019 into record. Copy included.

a. Request for Approval of Fire Pit – 1129 Woodside Avenue

Mr. Smith gave his recommendation to Council to authorize residents to use the fire pit per their request. Request was granted; no motion required. Copy of letter included.

A-2 Fire Company's Report

Fire Chief Dan Smith read the Fire Company Report of March 2019 into record.

15. Code Officer's Report - Leland Hunter

Mr. Hunter read the Code Officer's Report of March 2019 into record. Mr. Hunter stated there was an ongoing issue with a house on Church Street; vehicles in the driveway. President Peterson stated that the owner does not live in the property any longer. Borough Manager Ciach will look into this matter, as well as Solicitor O'Connor.

16. Building & Grounds Report – Judith Bush

A-1 Motion to Approve Purchase of Cameras for Reese Center & Kent Lane  
- \$ 6,575.00

Mrs. Bush made a motion to approve the purchase of cameras for the Reese Center and Kent Lane in the total amount of \$ 6,575.00. Mr. McClintock seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

17. Finance & Insurance Report - Moira Crawford

A-1 Approval to Ratify Payment of General Fund Bills March 12, 2019 through  
April 9, 2019 – **\$ 181,168.56**

Ms. Crawford made a motion to approve and ratify the payment of the General Fund Bills from March 12, 2019 through April 9, 2019 in the amount of \$ 181,168.56. Mrs. Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

A-2 Approval to Ratify Payment of Auburn Village Bills March 12, 2019 through

April 9, 2019 – \$ 157,748.05

Ms. Crawford made a motion to approve and ratify the payment of the Auburn Village Bills from March 12, 2019 through April 9, 2019 in the amount of \$ 157,748.05. Mr. McClintock seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

#### A-3 General Code – Authorize Payment for the Codification of Ordinances

Ms. Crawford made a motion to approve payment for the codification of the ordinances with a price between \$ 2,015.00 to \$ 2,495.00. Mr. McClintock seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

### 18. Ordinances & Resolutions Report – Richard McClintock

#### A-1 Motion to Pass and Adopt Resolution No. 10 of 2019 - Amending Comprehensive Fee Schedule

Mr. McClintock read the revised portions of the Comprehensive Fee Schedule, Resolution No. 10 of 2019, into record. President Peterson and Ms. Crawford both confirmed that an individual must be an Upland resident, with the qualifications outlined for the discount of permit fees. McClintock made the motion to pass and adopt Resolution No. 10 of 2019. Mrs. Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

#### A-2 Motion to Authorize Borough Manager to Advertise Ordinance No. 6 of 2019 - Amending Chapter 41, Article II – Service Cost Recovery

Mr. McClintock read Ordinance No. 6 of 2019, Amending Chapter 41, Article II – Service Cost Recovery, into record. Mr. McClintock made a motion to authorize the Borough Manager to advertise Ordinance No. 6 of 2019. Mrs. Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

### 19. Research & Development - Moira Crawford

Ms. Crawford reported that the website for March 2019 had 5,699 page views with an average of 184 per day. There were 2,105 visitors with an average of 68 per day.

### 20. Streets & Equipment – Judith Bush

#### A-1 Request for Road Work on Race Street – The Friends of the Caleb Pusey House, Inc.

President Peterson stated that this project will be part of the Road Program.

## 21. Community Affairs – Moira Crawford

Ms. Crawford announced the upcoming events include: Breakfast with the Easter Bunny on Saturday, April 20<sup>th</sup> after the Easter Egg Hunt at the Ballpark; the Breakfast will be held at MacQueen Hall and ends at 11:00 a.m.

Ms. Crawford continued with the much anticipated event details; the Sesquicentennial Celebration. Please visit the borough website and/or Facebook (uplandborough150th) for updated information.

- Sign-ups for items for purchase will be held at MacQueen Hall on Friday, April 24, 2019 from 6:00 p.m. to 8:00 p.m. and on Saturday, May 11, 2019 from 10:00 a.m. to noon for the various Sesquicentennial items available for sale.
- Sesquicentennial Dinner – To be held on Friday, May 24<sup>th</sup> Cocktails and Hors Oeuvres begin at 5:30 p.m. in Borough Hall Council Chambers with a break for the "Time Capsule Dedication" which occurs at 6:00 p.m. Buffet Dinner, catered by Lia's Catering, with open bar will start at 7:00 p.m. Guest speaker: Assistant History Professor Andrew Miller from Neumann University. Cost - \$50
- Passport Event – To be held on Saturday, May 25<sup>th</sup> from 10:00 a.m. - 4:00 p.m.; Passports cost \$4 each. All participants will visit the borough sites listed in the passport book and receive a "stamp" of their visit. Participating locations may have free refreshments and/or handouts. After all locations have been completed, you must take your passport to the Borough Manager (by 4:00 p.m.) on May 25<sup>th</sup>, 2019 for verification and to be eligible for entrance into a grand prize drawing - a 65" flat screen TV - that has been donated by the Upland AC or a family friendly gift basket.
- The winning drawing will be announced prior to the free "Movie in the Park - Ralph Breaks the Internet" to be held at 7:00 p.m. in Bristol Lord Field.
- The Picnic Bag Lunch in Park - Sunday, May 26<sup>th</sup> from 11:30 a.m. to 1:00 p.m.; Lunch includes 2 piece fried chicken, macaroni salad, baked beans, cookie or brownie and beverage (soda or water). Cost - \$5 per lunch. Pre-sign form available on the borough website, sesquicentennial Facebook page and the Borough Office. Any proceeds will benefit the Community Affairs Committee.
- Sesquicentennial Merchandise – Tee shirts, 2 different hats, logo magnets, and ornaments – Cost from \$5 to \$20.

## 22. Use & Occupancy Report – Michael Ciach

Borough Manager Michael Ciach read the Use and Occupancy report for March 2019 into record. Copy included.

## 23. Mayor's Report – Julie Kerns for William Dennon

Mrs. Kerns read the Mayor's Report into record in the absence of Mayor Dennon. Copy included.

## 24. Solicitor's Report - Robert O'Connor

Mr. O'Connor reported progress.

25. Engineer's Report – Daniel Archdeacon for Lisa Catania

A-1 2019 Road Program Bids

Ms. Crawford made a motion to authorize the Borough Engineer to advertise for the 2019 Road Program Bids. Mr. McClintock seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

President Peterson stated there pictures of what 8<sup>th</sup> street project will look like; it is coming together nicely.

26. Future Projects – Sandra Deldeo

Progress noted.

27. Old Business

President Peterson stated the previous mentioned Beautification Day is scheduled for Saturday, May 18, 2019 and Sunday, May 19, 2019. This event will is for those individuals that need help to clean up their property in preparation for our Sesquicentennial Celebration. Help will be offered to cut grass, clean outside of property and if needed, plant flowers. Residents that request help, need to do so by May 6, 2019. A robo-call will be scheduled and this information will be posted on the Borough website. Someone from the audience asked if volunteers would be needed. President Peterson replied they will see the need then discuss if necessary. Solicitor will forward a copy of a Release Form that will be required of all residents that request the help.

28. New Business

A-1 Discussion on Request from Main Street Elementary – Use of MacQueen Hall  
6/12/19

Mrs. Bush read the request from Main Street School to use the MacQueen Hall for their 5<sup>th</sup> Grade. This has been done in past years. No motion needed, request granted.

A-2 Request for Annual Donation for Easter Egg Hunt – Upland A.C.

Mr. McClintock made a motion to donate \$250 to the Upland Athletic Club for the annual Easter Egg Hunt. Mrs. Bush seconded the motion. Roll call was taken: Mrs. Kerns – Aye; Mrs. Bush – Aye; Mrs. Deldeo – Aye; Mr. McClintock – Aye; Mr. Hunter – Aye; Ms. Crawford – Aye; Mrs. Peterson – Aye. Motion carries.

A-3 Sesquicentennial Celebration – Home Decorating Contest

Ms. Crawford stated that as mentioned in the Caucus meeting, there will be a Home Decorating Contest for the Sesquicentennial Celebration, during the weekend of May 24 – May 27, 2019. Prizes will be awarded to those that are most patriotic and there will be a 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> place prize. President Peterson asked Ken Stark to place this in the newsletter as well.

A-4 Cancel the 2<sup>nd</sup> Meeting of the Month – April 23, 2019

Mr. McClintock made a motion to cancel the 2<sup>nd</sup> Meeting of the Month, April 23, 2019. Mrs. Bush seconded the motion. Verbally, all Council voted Aye, no one opposed.

29. Floor Open to Public

Ms. Dawn Lucan, resident of W. 24<sup>th</sup> Street, approached Council. She wanted to discuss a Police Department matter. After some discussion, President Peterson asked Ms. Luan to call Chief Irely to discuss her concerns.

30. Adjournment

Mr. McClintock made a motion to adjourn. Mrs. Bush seconded the motion. Verbally, all Council voted Aye, no one opposed.

Council adjourned at 8:38 p.m.

Respectfully submitted,

Michael J. Ciach  
Borough Manager/Secretary/Treasurer

Shannon Strigle  
Recording Secretary